

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

Reliance Leasing Inc., Reliance Aviation,
Reliance Rentals LLC, dba Avis Rent A
Car & Budget Rent A Car & Payless Rent
A Car,

Court File No. _____

Plaintiffs,

**NOTICE OF REMOVAL
OF CIVIL ACTION**

vs.

GMI Insurance, National Interstate
Insurance Company,

Defendants.

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT
OF NORTH DAKOTA:

Defendant GMI Insurance ("GMI"), through its undersigned counsel and pursuant
to 28 U.S.C. §§ 1441 and 1446, respectfully submits this Notice of Removal of Civil Action
from the Cass County District Court, East Central Judicial District of the State of North
Dakota, in which Court this action is currently pending, to the United States District Court
for the District of North Dakota. GMI hereby submits a short and plain statement of the
grounds for removal as follows:

1. On or about September 17, 2018, Plaintiffs Reliance Leasing Inc., Reliance
Aviation, Reliance Rentals LLC, dba Avis Rent A Car & Budget Rent A Car & Payless
Rent A Car, sent by certified mail to GMI a copy of the Summons and Complaint in an
action venued in Cass County District Court, East Central Judicial District of the State of
North Dakota (hereinafter "the State Court Action"). A copy of this Summons and
Complaint is attached as Exhibit A to the Affidavit of Thomas J. Evenson ("Evenson Aff").

2. This action is removable on the grounds of diversity of citizenship between the Plaintiffs and the Defendants and because the amount in controversy exceeds \$75,000, exclusive of interest and costs, pursuant to 28 U.S.C. § 1332. Upon information and belief, Plaintiffs Reliance Leasing Inc., Reliance Aviation, Reliance Rentals LLC, dba Avis Rent A Car & Budget Rent A Car & Payless Rent A Car are North Dakota corporations headquartered in Fargo, North Dakota. According to the Complaint, Plaintiffs Reliance Leasing Inc., Reliance Aviation, Reliance Rentals LLC, dba Avis Rent A Car & Budget Rent A Car & Payless Rent A Car rent automobiles to customers and conduct business in the State of North Dakota. (Compl. ¶ 10.) Defendant GMI Insurance is a Pennsylvania entity with its principal place of business also located in Pennsylvania. Defendant National Interstate Insurance Company is an Ohio corporation with its principal place of business located in Ohio.

3. GMI has filed an Answer to the Complaint, a copy of which is attached as Ex. B to the Evenson Aff.

4. This Notice of Removal is filed within thirty days after a copy of the Summons and Complaint in the State Court Action was sent by certified mail to GMI. Therefore, this Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b).

5. A copy of the written notice required by 28 U.S.C. § 1446(d), addressed to the other parties and to the Clerk of the District Court for Cass County is attached as Exhibit C to the Evenson Aff. The same will be filed in the State Court Action and served upon Plaintiffs upon the filing of this Notice of Removal.

WHEREFORE, GMI respectfully requests that this case be removed from the Cass County District Court, East Central Judicial District of the State of North Dakota to the United States District Court for the District of North Dakota.

Dated: October 10, 2018.

Lind, Jensen, Sullivan & Peterson,
A Professional Association

s\Thomas J. Evenson

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Attorneys for Defendant GMI Insurance

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DISTRICT OF NORTH DAKOTA

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STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

Sue Dimberio, of the City of Burnsville, County of Dakota, State of Minnesota,
being duly sworn, says that on October 10, 2018 she served the annexed:

**Notice of Filing Notice of Removal
Notice of Removal
Affidavit of Thomas J. Evenson in Support of Notice of Removal
Civil Cover Sheet**

via U.S. mail and e-mail upon the attorneys of record in the above-entitled matter, as
follows:

Ryan C. McCamy
CONMY FESTE, LTD.
406 Main Avenue, Suite 200
P.O. Box 2686
Fargo, ND 58108-2686

I declare under penalty of perjury that everything I have stated in this declaration
is true.

Signed on October 10, 2018 in the City of Minneapolis, County of Hennepin,
State of Minnesota.

s\Sue Dimberio

Sue Dimberio